

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

SUPPORTING STATEMENT
FOR THE
COMMERCIAL OPERATOR'S ANNUAL REPORT

Prepared by
National Marine Fisheries Service
Alaska Region



INTRODUCTION

Beginning with the passage of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) in 1976, the Secretary of Commerce (Secretary) undertook a set of objectives for the conservation and management of marine fishery resources. On October 11, 1996, the President signed into law the Sustainable Fisheries Act of 1996 (P.L. 104-297) which re-authorized and amended the Magnuson-Stevens Act. Under this stewardship role of one of the Nation's natural resources, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is the requirement for recordkeeping and reporting by users of the resources.

Fishing for groundfish by U.S. vessels in the exclusive economic zone (EEZ) of the Gulf of Alaska, and the Bering Sea and Aleutian Islands Management Area is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands (FMPs). The North Pacific Fishery Management Council (Council) prepared the FMPs under authority of the Magnuson-Stevens Act. Regulations implementing the FMPs at 50 CFR part 679 and subpart H of 50 CFR part 600 govern fishing by U.S. vessels. Recordkeeping and reporting requirements appear at 50 CFR 679.5.

Catcher/processors and motherships operating in the EEZ off Alaska represent a significant part of the total capacity of groundfish processors in the BSAI and GOA and account for a substantial part of the total landings each year, but are not required to supply groundfish product value information. In February 1999, the Council requested that NMFS collect exvessel and first wholesale value information for fish and shellfish products from motherships and catcher/processors through the COAR. Currently, shoreside processors and stationary floating processors are required to annually submit the COAR under Alaska Administrative Code (AAC), chapter 5 AAC 39.130. The information submitted in the COAR is protected by Alaska State confidentiality statute AS 16.05.815.

PROPOSED REVISION OF REGULATIONS

Existing R&R requirements for participants in the groundfish fisheries of the BSAI and GOA (50 CFR part 679) would be revised to include a requirement for owners of catcher/processors and motherships to complete and submit an annual ADF&G COAR. This requirement will be added to the Alaska Region Logbook Family of Forms 0648-0213.

This action would revise regulations: at § 679.2 by adding a definition of COAR and at § 679.5 by adding a new paragraph (o) that sets forth requirements on completing and submitting the COAR.

Finally, several tables are amended or added to part 679, specifically:

Table 1--Product Codes is amended by revising existing product codes and by adding additional product codes for fish products that are recorded in the COAR.

Table 15--Gear Codes and descriptions is amended by revising the title of the table, by revising existing gear codes and by adding additional gear codes for fish products that are recorded in the COAR.

Table 16--COAR Area Codes and Descriptions is added to present ADF&G area codes that describe areas where products were processed and areas where products were bought that are used in the COAR.

Table 17--COAR Process Codes is added to present ADF&G process codes that are used in the COAR.

Table 18--COAR Buying and Production Forms would be added to present the ADF&G buying and production forms that make up the COAR.

III. JUSTIFICATION

The following 18 responses provide the justification for the COAR requirement:

1. Explain the need for information collection.

With this rulemaking, NMFS would require Federally-permitted motherships and catcher/processors to complete and submit the Alaska COAR on an annual basis. Added to the information from shoreside processors and stationary floating processors, this data collection

would yield equivalent annual product value information for all respective processing sectors and would provide a consistent time series according to which groundfish resources may be managed more efficiently. Use of the information generated by the COAR would be coordinated between NMFS and the State of Alaska.

2. How, by whom, how frequently, and for what purpose the information will be used.

The information would be collected annually on COAR paper application forms from all catcher/processors and motherships issued a Federal Fisheries permit to conduct fishing activities in the EEZ of the BSAI or GOA. ADF&G would provide the COAR to each mothership and catcher/processor on an annual basis to record information from the previous year. The motherships and catcher/processors would submit the COAR the following April by to ADF&G, Juneau, Alaska.. Each mothership or catcher/processor would be required to complete and submit one or more pages of the COAR to ADF&G for computer data entry. A certification page would be submitted to indicate no receipt or production took place for that year, and no other COAR pages would be required. Information from motherships and catcher/processors would be verified using the NMFS Weekly Production Report (WPR) data base. Information from processors that operate in State waters and shore-based processors are verified using the ADF&G fish ticket data base.

About 58 percent of the motherships and catcher/processors that would be affected by this rule are already voluntarily complying with the COAR requirement. In 1998, approximately 96 motherships and 237 catcher/processors were issued a Federal Fisheries Permit, for a total of 333 at-sea processors. In 1998 based on weekly production report data, 35 motherships and 99

catcher/processors were active. Because 32 of the motherships also functioned as catcher/processors, a more accurate estimate of at-sea processors is 102. A total of 59 at-sea processors voluntarily complied with the 1998 State's data collection requirement and submitted a COAR to ADF&G, leaving approximately 43 processors to be affected by this new requirement because only one COAR is required from a vessel that functions both as a mothership and as a catcher/processor during a given year.

The expected result of the COAR information collection would be an enhanced socioeconomic database that NMFS could use to accurately measure economic and socioeconomic impacts and to prepare economic analyses of proposed or existing management measures. It would provide detailed (and consistent) data on production, prices, and product forms that would be used by NMFS to respond to requests for economic information that are frequently required by Federal and state management agencies, the fishing industry, and the general public. The COAR data would also be used by NMFS to comply with legislative and legal mandates as follows:

- (1) E.O. 12866 and the Magnuson-Stevens Act.
- (2) American Fisheries Act to monitor and report to Congress on the effects and efficacy of the new groundfish management programs.
- (3) Regulatory Flexibility Act, to the extent that any of the entities reporting under the COAR program are classified as "small" (using SBA definitions), access to these data would be key to our fulfilling the impact assessments required of the agency as pertaining to IRFAs.
- (4) The National Standards 4, 5, and 7.

(5) The new National Standards 8 mandate, included in the last Magnuson-Stevens re-authorization, increases the agency's need for these economic performance data... across sectors... in a compatible and consistent format.

(6) Specifically, the database would be used in the annual NMFS Stock Assessment and Fishery Evaluation documents for the groundfish fisheries of the BSAI and GOA, annual Federal publications on the value of U.S. commercial fisheries, and in periodic reports that describe the fisheries and that serve as reference documents to management agencies, the industry, and others.

COAR

A separate form must be completed for each ADF&G processor code.

Certification page.

Company name and address, including street, city, state and zip code; also seasonal mailing address, if applicable.

Vessel name and ADF&G processor code.

Check YES or NO to indicate whether fishing activity was conducted during the appropriate year.

If YES, complete the applicable forms of the COAR (see Table 18 to this part) and complete and sign the certification page.

If NO, complete and sign only the certification page.

Signature and printed or typed name, e-mail address, title, telephone number, and FAX number of owner.

Printed or typed name, e-mail address, and telephone number of alternate contact.

Buying (exvessel) forms A(1-3), C(1-2), E, G, I(1-2), K, and M.

Species name and code.

Area purchased.

Gear code.

Delivery code (form G only).

Total pounds (to the nearest lb) purchased from fishermen.

Total amount paid to fishermen, including all post season adjustments and/or bonuses and any credit received by fishermen for gas expenses, ice, delivery premiums, and other miscellaneous expenses.

Price per pound. If additional adjustments may be made after this report has been filed, check the "\$ not final" box, and submit form M when those adjustments are paid. Do not include fish purchased from another processor.

Wholesale production forms B(1-6), D, F, H, J(1-2), and K).

Production-except-canned.

Area of processing. List production of Canadian harvested fish separately.
Processed product
Process prefix code
Process suffix code
Product code
Total net weight. Enter total weight of the finished product.
Total value(\$). Enter the total wholesale value of the finished product
Price per pound.

Canned production. Complete an entry for each can size produced.

Area of processing
Process 51 or 52, Enter conventional canned code (51) or smoked, conventional canned code (52).
Total value(\$). Enter the total wholesale value of the finished product
Price per pound
Can size in ounces, to the hundredth of an ounce
Number of cans per case
Number of cases

Custom production forms L(1-2).

Custom production.

Custom-process for another processor. If a mothership custom-processed fish or shellfish for another processor, the owner must list the processor name and ADF&G processor code (if known) to describe that processor, but not include any of that production in this report.

Custom-process by another processor. If another processor custom-processed fish or shellfish for a mothership or catcher/processor, the owner must use a separate page to list each processor.

Custom fresh/frozen miscellaneous production. If a mothership or catcher/processor, the owner must list the following information to describe production intended for wholesale/retail market and which are not frozen for canning later:

Species name and code
Area of processing
Processed product
Process prefix code
Process suffix code
Product code
Total net weight. Enter total weight of the finished product.
Total wholesale value(\$). Enter the total wholesale value of the finished product

Custom canned production. Record the following information for each can size produced:

Species name and code
Area of processing
Process 51 or 52. Enter conventional canned code (51) or smoked, conventional canned code (52).
Total wholesale value(\$). Enter the total wholesale value of the finished product

Can size in ounces, to the hundredth of an ounce.
Number of cans per case
Number of cases

Fish buying retro payments/post-season adjustments, form M.

- (A) Species name and code
- (B) Area purchased
- (C) Gear code
- (D) Total pounds purchased from fisherman
- (E) Total amount paid to fishermen (base + adjustment)

3. Automated, electronic, mechanical, or other technological techniques.

NMFS currently does not have the capability to collect COAR information by means of electronic submission. Therefore, the applicant will need to provide an annual report in printed form. Also, because of the requirement for an original signature on the COAR, converting to electronic submission is not an option within the timeline established.

4. Identify duplication with other collections.

Although many of the questions on the COAR appear to duplicate requests for information that appear on the WPR, the COAR requests one annual amount for each species by product and area, compared with the many weekly amounts by species that are recorded and reported by the industry on Daily Cumulative Production Logs (DCPLs) and WPRs. It is deemed a preferred method to request this summary along with associated value information, since each mothership and catcher/processor has a year-end summary by species and product in their own bookkeeping system. These requests are not a duplication because applicants are either verifying information already on file (similar to persons verifying their income to the IRS although information has already been provided through W-2 forms) or providing information that is not on file. In

addition, for economic data purposes, areas of buying and areas of processing are requested instead of reporting area of the harvested fish.

5. Effect on small businesses or other small entities.

The proposed collection-of-information does not impose a significant impact on small entities.

6. Consequences to Federal program.

A Federal requirement for processors to submit the COAR is proposed as a method to obtain complete and equivalent annual product value information for all respective processing sectors. The COAR data is fundamental to the agency's mandated obligations under E.O. 12866 and the Magnuson-Stevens Act, American Fisheries Act, Regulatory Flexibility Act, National Standards 4, 5, 7, and 8. The COAR database would be used in the annual NMFS Stock Assessment and Fishery Evaluation documents for the groundfish fisheries of the BSAI and GOA, annual Federal publications on the value of U.S. commercial fisheries, and in periodic reports that describe the fisheries and that serve as reference documents to management agencies, the industry, and others. Without the COAR data base, NMFS would be deficient in very important data sectors.

7. Special circumstances.

No special circumstances because COAR is submitted annually.

8. PRA Federal Register notice.

The NMFS Alaska Region will submit a proposed rule for publication in the Federal Register simultaneously with this request.

9. Payment or gift to respondents.

The NMFS Alaska Region will not provide any payment or gift to respondents.

10. Assurance of confidentiality.

The information collected is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. These procedures have been implemented under the NMFS Operations Manual entitled, "Data Security Handbook for the Northwest-Alaska Region, National Marine Fisheries Service."

11. Information of a sensitive nature.

This information collection does not involve information of a sensitive nature.

12/13/14. Total burden hours and annual cost of the collection-of-information for respondents and Federal Government.

No appreciable cost is imposed to the industry, the public at large, or the agency. No capital or significant start-up costs are associated with the information collection, and other costs would be less than \$500.. The time to complete a COAR is estimated to range from 0.5 to 16 hr;

an average of 8 hr per year for an estimated 43 processors. However, to include the potential universe of participants in this document, NMFS shall estimate 134 at-sea processors affected by this requirement: 102 active participants + 32 (approximately one third more) = 134 x 8 hr = 1,072 hr.

15. Program changes or adjustments.

The COAR is a new requirement and therefore a program change.

16. Published results.

The information collected may be published, and no statistical sampling of the information is planned.

17. Expiration date display.

As this is an Alaska State form, the OMB number and expiration date will not be displayed on the COAR.

18. Certification statement.

The COAR is an Alaska State form and is distributed by the State, and as such, the OMB number and expiration date will not be displayed on the form. The information on the hour burden and OMB number is explained in the preamble of the rule.

To see a copy of the State of Alaska COAR form, go to the following URL.

<http://www.cf.adfg.state.ak.us/geninfo/permits/intent/coar99.pdf>